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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
MARK JEFFERY SMITH
JEFF ERIC DEVERTER

Group Art Unit: 2643

Serial Number: 10/760,616

Examiner: Taylor, Barry W

Filed: 01/20/2004

Confirmation Number: 9946

For: WIRELESS COMMUNICATION
DEVICE

Attorney Docket Number: 1310.03

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Richard Yuen

AMENDMENT AND RESPONSE TO OFFICE ACTION

On April 26, 2006, Examiner Barry W. Taylor conveyed that he had not yet received a response to the Office Action dated September 26, 2005.

An agreement was reached between the Examiner and practitioner to rescind the response to the Office Action with the appropriate return receipt confirmation that the response was sent on January 26, 2006 at 11:38 AM [Eastern Standard Time].

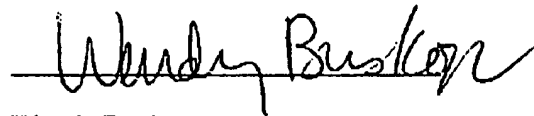
Applicants appreciate the Examiner's time and attention to this matter.

If there are any other concerns please do not hesitate to contact us at 713-403-7411.

Date:

5/3/06

Respectfully submitted,



Wendy Buskop
Patent Attorney
Reg. Number 32, 202

Please mail correspondence to the address associated with customer number 29637.

Wendy Buskop
Buskop Law Group
1776 Yorktown, Suite 550
Houston, TX
77056

PTO/SB/21 (09-04)

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**TRANSMITTAL
FORM**

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Total Number of Pages in This Submission

13

Application Number

10/760,616

Filing Date

1/20/04

First Named Inventor

MARK JEFFERY SMITH

Art Unit

2643

Examiner Name

Taylor, Barry W

Attorney Docket Number

1310.03

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ENCLOSURES (Check all that apply)☐

Fee Transmittal Form

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Fee Attached

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Amendment/Reply

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After Final

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Affidavits/declaration(s)

☒

Extension of Time Request

☐

Express Abandonment Request

☐

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐Reply to Missing Parts/
Incomplete Application☐Reply to Missing Parts
under 37 CFR 1.52 or 1.53☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐Petition to Convert to a
Provisional Application☐

Power of Attorney, Revocation

☐

Change of Correspondence Address

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Terminal Disclaimer

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After Allowance Communication to TC

☐Appeal Communication to Board
of Appeals and Interferences☐Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)☐

Proprietary Information

☐

Status Letter

☐Other Enclosure(s) (please identify
below):

Remarks

The included paper is an Agreement between Examiner and practitioner; Evidence of facsimile transmission; Response to an Office Action dated September 26, 2005; and a Petition for a One-Month Extension of Time with the associated fee.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Buskop Law Group

Signature



Printed name

Wendy Buskop

Date

5/3/2006

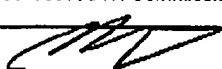
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32,202

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Richard Yuen

Date

5/3/2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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